ANNE PILSBURY
Attorney at Law

1712 N. St. N.W., Suite 400
Washington, D.C. 20036

(202) 223-0868

FYI - This is the Answer to your suit filed Dec. 6, 1976 by the FBI.
A.P.
Please read p. 10 - 12 esp.

ANSWER OF DEFENDANTS CLARENCE M. KELLEY, WILLIAM C. SULLIVAN, NICK STAMES, ROBERT G. KUNKEL, JOHN J. McDERMOTT, TERRY O'CONNOR, CHARLES M. SAWYER, ROBERT E. YATES, ROBERT W. FEUER, AND DAVID RARITY

Come now the aforesaid defendants [hereinafter referred to as the Federal Defendants], by their undersigned attorneys, and in answer to the Complaint herein filed, insofar as said Complaint refers to them, say:

FIRST DEFENSE

The Complaint fails to state a claim against the Federal defendants upon which relief can be granted.

SECOND DEFENSE

The doctrine of soveriegn immunity bars any suit against the United States where the United States has not consented to be sued. This suit is barred by the doctrine of sovereign immunity since it is in law and fact a suit against the United States to which the United States has not consented.

THIRD DEFENSE

The suit is barred by any applicable statute of limitations and the doctrine of laches.

FOURTH DEFENSE

All activities of the Federal defendants in the premises were performed in furtherance of their official duties, were within the scope of their authority and were not in excess of their statutory authority. Each of the Federal defendants, therefore, is absolutely immune from suit under the doctrine of official immunity.

RECEIVED
DEC 03 1976
Julius Hobson, Sr.
Councilmember-At-Large

FIFTH DEFENSE

All activities of the Federal defendants in the premises were performed in furtherance of their official duties and were undertaken in good faith and in the reasonable belief that such activities were necessary, lawful and within the scope of their authority. Each of the Federal defendants, therefore, is not liable to the plaintiffs in damages for such activity.

SIXTH DEFENSE

Answering specifically the allegations contained in the numbered allegations of the Complaint, the Federal defendants aver:

JURISDICTION

1-2 The Federal defendants admit that the action purports to be as alleged in Paragraph 1 of the Complaint, and that the jurisdiction of the Court is invoked as alleged in Paragraph 2, but deny that the Court has jurisdiction over them under 42 U.S.C. 1985(3) and 1986; 28 U.S.C. 1331, 1343(1),(2) and (4), 1337, 1355; or by reason of the First, Fourth, Fifth and Ninth Amendments to the Constitution of the United States; or under 18 U.S.C. 2520 or D.C. Code Chapter 23 Section 554, or otherwise, and deny that the matter in controversy as to them, exclusive of interest and costs, exceeds the value of $10,000. The Federal defendants deny that any action has been taken by them in violation of plaintiffs' constitutional, statutory, or other legal rights, deny that they are liable in damages to the plaintiffs under said amendments or statutes, or under any other provision of law, and deny that plaintiffs are entitled to judicial relief against them in any form or fashion.

PARTIES

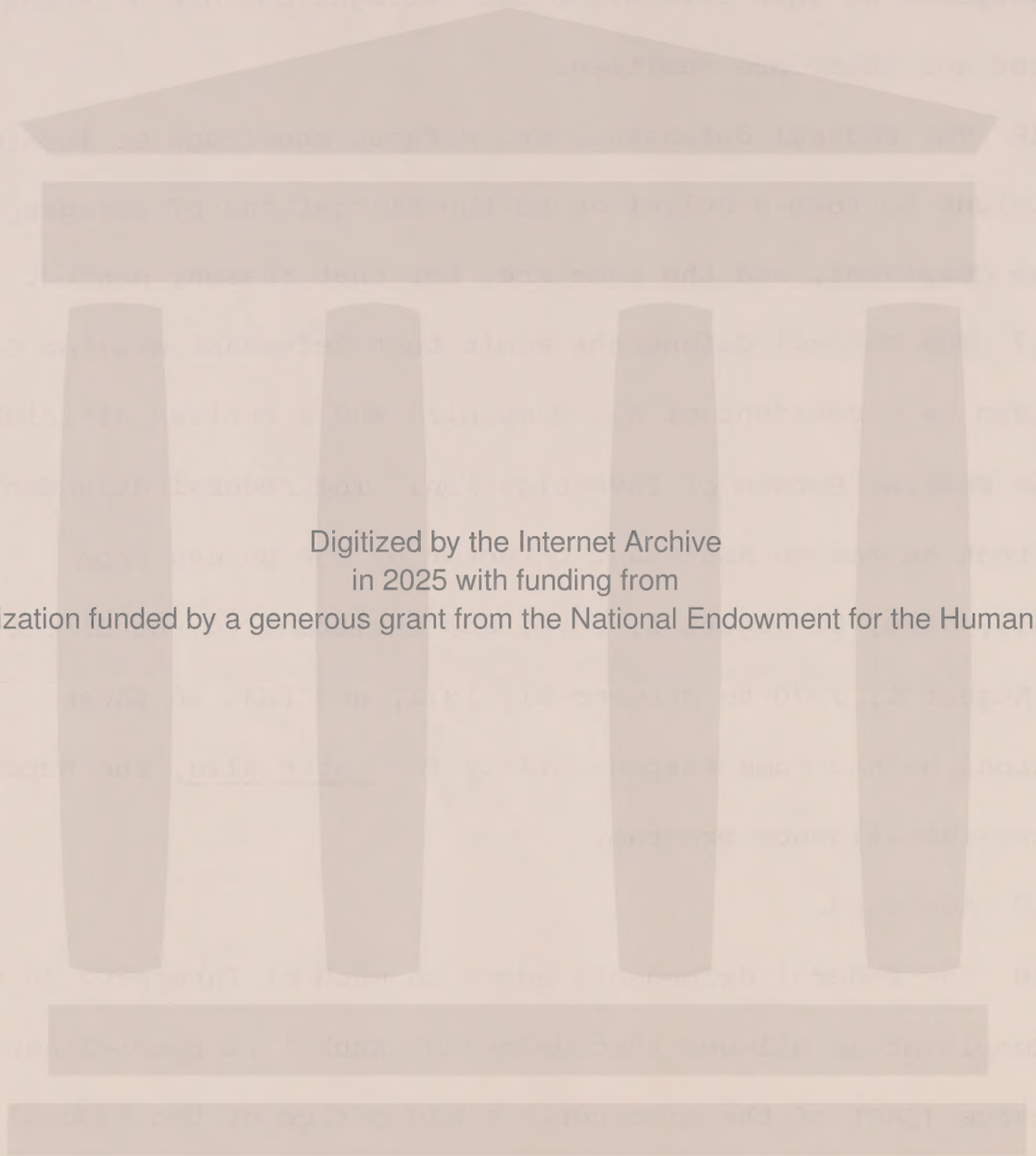
3-13 The Federal defendants do not contest the allegations contained in Paragraph 3 through 13 of the Complaint, and for the purposes of this litigation said allegations are accepted as true and therefore admitted.

16 The Federal defendants are without knowledge or information sufficient to form a belief as to the allegations of Paragraph 16 of the Complaint, and the same are, for that reason, denied.

17 The Federal defendants admit that defendant William C. Sullivan is a resident of New Hampshire and a retired official of the Federal Bureau of Investigation. The Federal defendants aver that he was an Assistant Director of the Bureau from June 17, 1960, to August 1, 1970, and Assistant to the Director from August 1, 1970 to October 21, 1971, and that in those positions he had some responsibility for inter alia, the Bureau's Counter-intelligence program.

19 Admitted.

20 The Federal defendants admit so much of Paragraph 20 of the Complaint as alleges that defendant Kunkel is Special Agent in Charge [SAC] of the Alexandria Field Office of the Federal Bureau of Investigation and that he was formerly SAC of the Washington Field Office. The Federal defendants deny that defendant Kunkel was SAC of the Washington Field Office until 1971, but state he was SAC of the Washington Field Office from July, 1970 to October, 1972.



Digitized by the Internet Archive
in 2025 with funding from
Digitization funded by a generous grant from the National Endowment for the Humanities.

https://archive.org/details/box54_aclu-lawsuit

21 The Federal defendants admit that defendant McDermott is an employee of the FBI currently assigned to duty in the J. Edgar Hoover Building, and that he was formerly SAC of the Washington Field Office. The Federal defendants deny that defendant McDermott was SAC of the Washington Field Office from 1971-1973; but state he held that position from October, 1972 until June, 1974.

22 Admitted.

23 The Federal defendants admit the allegations contained in Paragraph 23 of the Complaint but deny that William Tucker is a defendant in this action.

24 Paragraph 24 of the Complaint states a legal conclusion, and thus need not be either admitted or denied. To the extent an answer is required, the Federal defendants lack knowledge or information sufficient to form a belief as to its truth or falsity, and it is, accordingly, denied.

25 and 26 The allegations of Paragraphs 25 and 26 pertain to actions of the District of Columbia, and its officials, and therefore do not require an answer from the Federal defendants. To the extent an answer is required, the Federal defendants are without sufficient knowledge or information to form a belief as to the truth or falsity of the same, and the allegations are, therefore, denied.

27 The Federal defendants deny the allegations contained in Paragraph 27 of the Complaint.

28 With respect to the allegations contained in Paragraph 28 of the Complaint, which incorporates Paragraphs 25 through 27 by reference, each of the Federal defendants answers as follows:

Defendant Kelley, in his individual capacity, denies the allegations contained in Paragraph 28 of the Complaint. Defendant Kelley is advised that the records of the Federal Bureau of Investigation indicate that (1) informants of the Federal Bureau of Investigation were present at some meetings at which some of the individual plaintiffs were present, or which were held by some of the organizational plaintiffs; but such records reflect that their presence was not fraudulently obtained. (2) plaintiffs were not the subject of electronic surveillance but some of the plaintiffs were overheard on such surveillances directed to others for lawful national security purposes. (3) on one occasion a piece of third class mail addressed to one of the plaintiffs was misdirected in the mail to an informant of the Federal Bureau of Investigation who turned it over to a Special Agent. (4) on numerous occasions, several of the plaintiffs were observed by Special Agents of the FBI at public gatherings or in the course of surveillances undertaken for legitimate law enforcement purposes. (5) the Bureau received summaries of two wire communications to two of the plaintiffs which were obtained by another Federal agency.

Defendant Kelley is advised that the records of the Federal Bureau of Investigation indicate that except for the matters set forth above, no other activity of the kind alleged in Paragraph 28 of the Complaint occurred, and, accordingly, on information and belief, denies all such other and further allegations contained therein.

Defendant Sullivan avers that he held a position of responsibility in the Federal Bureau of Investigation as stated in Paragraph 17, supra, but he denies the allegations contained in Paragraph 28 of the Complaint.

Defendant Stames, Kunkel, and McDermott aver that they were Special Agents in Charge of the Washington Field Office for the periods stated in Paragraphs 19 to 21, supra, and that they had administrative supervision of that office. They deny that they were aware of or participated in any such acts as alleged in Paragraph 28 of the Complaint, and therefore, they deny the allegations.

Defendants Yates and Rarity aver that they had no contact with or involvement in any activity with regard to the plaintiffs as set forth in the Complaint herein, and, therefore, they deny the allegations contained in Paragraph 28 of the Complaint.

Defendant Sawyer denies all allegations set forth as to all plaintiffs, except that as to plaintiff Waskow defendant Sawyer avers that on one occasion an informant may have had a private conversation with plaintiff Waskow the substance of which was reported to defendant Sawyer, that he observed plaintiff Waskow at numerous public meetings and demonstrations, and in public

places during surveillances directed at others for legitimate law enforcement purposes.

Defendant O'Connor denies all allegations set forth in Paragraph 28 of the Complaint except that he may have had an informant report to him the occurrances at public meetings attended by the plaintiffs, and he may have seen plaintiff Waskow during the course of one or more physical surveillances directed at others for legitimate law enforcement purposes.

Defendant Feuer denies all allegations contained in Paragraph 28 of the Complaint except that he saw mail addressed to plaintiff Waskow, after it had been discarded, in the course of an investigation directed to another subject, conducted a physical surveillance of plaintiff Waskow on one occasion, and he observed him at numerous public meetings and demonstrations.

//

//

//

//

//

//

//

//

//

//

//

//

//

29 The Federal defendants deny the allegations of Paragraph 29 of the Complaint.

30 The Federal defendants deny the allegations of the first sentence of Paragraph 30. They admit the allegations of the second sentence insofar as they purport to describe the general scope of the COINTELPRO operation, but deny the same as they pertain to the plaintiffs. Defendants Kelley and Sullivan admit the allegations in the third sentence in general, but deny them as pertains to the plaintiffs herein. No answer is required of the other Federal defendants, who are not supervisory officials. To the extent an answer is required, they lack sufficient knowledge or information to form a belief as to the truth of the allegations.

31 Insofar as Paragraph 31 alleges that defendants Stames, Kunkel and McDermott were Special Agents in Charge of the Washington Field Office, it is admitted. So much of the allegation as alleges that they held that post successively is denied. Their dates of service are set forth in Paragraphs 19 to 21 of this Answer. The allegation that the Washington Field Office participated in the operation known as COINTELPRO is admitted. The allegation that the Washington Field Office solicited and received the active participation in that program of the defendant D.C. supervisory officials, agents and informers is denied.

32 The allegations contained in Paragraph 32 and sub-Paragraphs (a) through (e) are denied except that the defendants admit that to the extent they did act with respect to the plaintiffs herein,

they were acting in their official capacities.

33 Insofar as it applies to the Federal defendants, the allegations contained in Paragraph 33 of the Complaint are denied.

34 The allegations contained in Paragraph 34 of the Complaint herein, including sub-Paragraphs (a) through (f) are conclusions of law and do not require an answer from the Federal defendants. To the extent an answer may be required, the Federal defendants deny that any of their acts violated the plaintiffs' rights under the Constitution of the United States and the amendments thereto, or under the statutes of the United States and the District of Columbia, or under the common law to the extent it may apply herein. The Federal defendants deny that their acts constitute a conspiracy in violation of any provision of law.

35 The allegations contained in Paragraph 35 contain legal conclusions and speculation. Accordingly they require no answer. To the extent an answer is required the Federal defendants deny that they impeded the plaintiffs' lawful political efforts, and deny that they falsely tainted the plaintiffs' effort and movement. The Federal defendants lack knowledge or information sufficient to form a belief as to the remaining allegations, and, accordingly, deny them.

RELIEF

The Federal defendants deny that they violated any of the plaintiffs' constitutional or statutory rights, and deny that any relief is available against them in the premises.

Wherefore, the Federal defendants, having fully answered the allegations contained in the numbered Paragraphs of the Complaint, respectfully pray that the Complaint herein be dismissed as to them.

Respectfully submitted,

RICHARD L. THORNBURGH
Assistant Attorney General

GEORGE W. CALHOUN
Attorney, Department of Justice

Benjamin C. Flannagan

BENJAMIN C. FLANNAGAN
Attorney, Department of Justice

David H. White

DAVID WHITE
Attorney, Department of Justice

R. Joseph Sher

R. JOSEPH SHER
Attorney, Department of Justice
Washington, D.C.
Telephone: (202) 739-4525

Attorneys for Defendants
Kelley, Sullivan, Stames,
Kunkel, McDermott, O'Connor,
Sawyer, Yates, Feuer and Rarity

October 6, 1976

MEMORANDUM

TO: Ms. Anne Pilsbury

SUBJECT: Responses to Government's Interrogatories in Hobson v. Wilson

Responses to questions 3 through 9 are as follows:

Question 3:

Employment: An employee of the Social Security Administration of the Department of Health, Education and Welfare

Washington Institute for Quality Education
300 M Street, S.W., Washington, D.C.

Residence: 300 M Street, S.W., Washington, D.C.
(I do not recall the telephone number.)

Question 4:

I was not a member of any organization. I was a private citizen.

Question 5:

I believe I was subject to electronic surveillance because it appeared in the newspapers a number of times. I believe the Washington Institute for Quality Education (located in my home) was burglarized because typewriter ribbons and research files were taken in 1968.

Question 6:

It is impossible to determine the type of surveillance employed since I was either in a demonstration or giving a speech at various universities in the city.

I believe that I was surveilled because of my leadership role with the Congress of Racial Equality in the District of Columbia and an organization known as "Associated Community Teams". I believe the Police Department was able to anticipate our movements because of electronic surveillance of the telephones of these organizations and thereby were able to anticipate us. I do not remember the persons and the description of persons with whom we were communicating at that time.

Question 7:

I have never previously sought relief in any Court for any category of activity alleged in the Complaint.

Question 8:

I have never given any written or oral statements concerning any of this matter alleged in this Civil Action before Congressional, administrative or governmental proceedings.

Question 9:=

I have made statements in speeches given through the years about police surveillance at different Churches, universities and street rallies in this city. Such speeches number in the hundreds. I do not remember dates, times and persons present at such meetings and rallies.

Julius W. Hobson

October 6, 1976

MEMORANDUM

TO: Ms. Anne Pilsbury

SUBJECT: Responses to Government's Interrogatories in Hobson v. Wilson

Responses to questions 3 through 9 are as follows:

Question 3:

Employment: An employee of the Social Security Administration of the Department of Health, Education and Welfare

Washington Institute for Quality Education
300 M Street, S.W., Washington, D.C.

Residence: 300 M Street, S.W., Washington, D.C.
(I do not recall the telephone number.)

Question 4:

I was not a member of any organization. I was a private citizen.

Question 5:

I believe I was subject to electronic surveillance because it appeared in the newspapers a number of times. I believe the Washington Institute for Quality Education (located in my home) was burglarized because typewriter ribbons and research files were taken in 1968.

Question 6:

It is impossible to determine the type of surveillance employed since I was either in a demonstration or giving a speech at various universities in the city.

I believe that I was surveilled because of my leadership role with the Congress of Racial Equality in the District of Columbia and an organization known as "Associated Community Teams". I believe the Police Department was able to anticipate our movements because of electronic surveillance of the telephones of these organizations and thereby were able to anticipate us. I do not remember the persons and the description of persons with whom we were communicating at that time.

Question 7:

I have never previously sought relief in any Court for any category of activity alleged in the Complaint.

Question 8:

I have never given any written or oral statements concerning any of this matter alleged in this Civil Action before Congressional, administrative or governmental proceedings.

Question 9:=

I have made statements in speeches given through the years about police surveillance at different Churches, universities and street rallies in this city. Such speeches number in the hundreds. I do not remember dates, times and persons present at such meetings and rallies.

_____

Julius W. Hobson

LAW OFFICES OF
COHEN & NOTERMAN, P. C.

NEIL J. COHEN
PETER A. NOTERMAN
ANNE PILSBURY

SUITE 200, 1523 L ST. N. W.
WASHINGTON, D. C. 20005

202 628-4195

September 17, 1976

MEMORANDUM TO:

✓Julius Hobson	Richard Pollock
Abe Bloom	Washington Peace Center
Arthur Waskow	Washington Area Women
Tina Hobson	Strike for Peace
Rev. David Eaton	Emergency ~~Court~~ Cont. on
Sammie Abbott	Transportation Crisis

SUBJECT: Responses to Government's Interrogatories in Hobson v. Wilson

The federal (FBI) defendants in your case have served us with a list of questions which must be answered by October 8, 1976. Although I can answer a few of the questions, the majority require your help.

I am enclosing questions 3 through 9 and ask that you either send or phone in your answers to me by October 4th.

If the information sought is not available or you just don't know, I will so indicate. You do not need to prepare formal answers; brief notes will be fine.

In regard to question 8, please include public City Council testimony. In regard to question 9, it is not necessary to include off-the-record statements to reporters, only those given for attribution.

Best wishes,

Anne

Anne Pilsbury

P.S. If you wish to have your mail in regard to this case sent to an address other than your home address, please let me know.

Enclosure

3. To each individual plaintiff: Please list in chronological order your business and residential addresses and phone numbers from 1967 to 1974.

4. To each organizational plaintiff: Please set forth

(a) the date you were organized;

(b) a chronological list of your organizational addresses, with the phone number at each and the identity of the person(s) in whose name the number was listed;

5. Please set forth in detail the information or the basis for the belief which leads you to allege that you were subjected to electronic surveillance, including:

(a) the specific facts which lead you to believe that you have been subjected to electronic surveillance;

(b) the date and location of each suspected surveillance;

(c) the identity of the person(s), by name and description together with their respective telephone numbers, with whom you were communicating at the time each claimed surveillance took place.

(d) the subject matter of each communication claimed to have been intercepted.

6. If you are alleging electronic surveillance other than telephone surveillance, please state:

(a) the type, date, and location of each instance of alleged electronic surveillance;

(b) the specific facts which lead you to believe that you were subjected to electronic surveillance;

(c) the identity of the person(s), by name and description, with whom you were communicating at the time each claimed surveillance took place;

(d) the subject matter of each communication claimed to have been intercepted.

7. Please state whether you have previously sought or are now seeking (other than in the instant civil action) relief in any court for any category of activity alleged in your Complaint (described in Interrogatory 2(a) through 2(g), above). If your answer is in the affirmative, please state:

(a) each category of activity involved;

(b) the particular acts complained of under each category;

(c) the name of each person against whom relief was, or is being, sought;

(d) the style and case number of the action, including the names of all plaintiffs and defendants;

(e) the date and jurisdiction in which the action was filed;

(f) the disposition or current status of the action.

8. Please state whether in connection with any judicial, congressional, administrative, or other governmental proceeding you have ever given any written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state:

(a) the name, title, or nature of the court, committee, agency, etc., to which you gave your statement;

(b) the date and location of your statement and whether it was written or oral, sworn or unsworn;

(c) the substance of your statement.

9. Please state whether you have ever made to any reporter, commentator, columnist, etc., or before any gathering of two or more persons a written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state:

(a) the name of the reporter, commentator, columnist, etc., to whom the statement was made, or, if to a gathering, the names of the persons present and the nature of the gathering;

(b) the date and location the statement was given and whether it was written or oral;

(c) the title, date, issue number, and page number of the publication if the statement or an account of the statement was published, or the date and station or network if the statement or an account of the statement was broadcast;

(d) the substance of the statement.

Respectfully submitted,

RICHARD L. THORNBURGH
Assistant Attorney General

GEORGE W. CALHOUN
Attorney, Department of Justice

Benjamin C. Flannagan

BENJAMIN C. FLANNAGAN
Attorney, Department of Justice

David H. White

DAVID H. WHITE
Attorney, Department of Justice
Washington, D. C. 20530
Telephone: 202/739-3032

Attorneys for defendants Clarence M. Kelley, Nick Stames, Robert G. Kunkel, John J. McDermott, Terry O'Connor, Charles M. Sawyer, Robert E. Yates, Robert W. Feuer, and David Rarrity.

SPYING CHARGED

Hobson, rights leaders sue FBI

On behalf of City Council member Julius Hobson, and others who charge their civil rights were violated during the 60s by illegal police and FBI surveillance, the American Civil Liberties Union is filing a suit for damages.

The suit asks for damages of $100,000 for each of the individuals. Included in the suit, which asks for $1 million total, are about a dozen local groups and individuals.

Named in the suit are the local branch of the FBI, and the Metropolitan Police Department. Also filing suit are activist Martha Waskow, the Rev. David Eaton of the All Souls Unitarian Church, and Sammie Abbot.

Abbot explained that the suit was supposed to be filed with the District Court last Thursday, but that lawyers have postponed it because the briefs had to be re-written. He did not say why.

In recent months, several suits have been filed as a result of disclosures that Federal agents and local police infiltrated the ranks of anti-war groups and conducted illegal surveillance.

This however, will be the first suit aimed at the disclosed cooperation between local and national investigative forces.

A lawyer for the ACLU, said this case has a more substantial basis.

The lawyer, Anne Pillsbury said the complaining persons and groups have records of buglaries and wire tappings of some of the people who are involved in bringing the suit. "I don't see how we can fail to establish damages," added Pillsbury.

The result of other suits has been the, issuance of injunctions, which in effect barred police from additional surveillance.

Hobson filed a bill with the City Council last month that would bar police surveillance of "non-criminal" activities by individuals and groups.

Charged in the suit are violations of and conspiracies to violate the plaintiffs' First and Fourth Amendments rights, and it asks compensatory and unitive damages for the violation of those rights.

However, if the agencies that committed the surveillance are no longer in business, the suit requests that they be compelled to give back the files or any other information gathered on the defendants.

In a recent report, Pillsbury was quoted as saying, "We're not going to pretend that anybody's career ruined. We don't have to prove injury...We're asking at least about $100,000 each," he explained.

Washington Afro-American

AND THE WASHINGTON TRIBUNE

84th YEAR NO. 86 | 332-0080 | WASHINGTON, D.C. SATURDAY JUNE 26, 1976 | 32 PAGES | 25 CENTS

SPYING CHARGED

Hobson, rights leaders sue FBI

On behalf of City Council member Julius Hobson, and others who charge their civil rights were violated during the 60s by illegal police and FBI surveillance. the American Civil Liberties Union is filing a suit for damages.

The suit asks for damages of $100,000 for each of the individuals. Included in the suit, which asks for $1 million total, are about a dozen local groups and individuals.

Named in the suit are the local branch of the FBI, and the Metropolitan Police Department. Also filing suit are activist Martha Waskow, the Rev. David Eaton of the All Souls Unitarian Church, and Sammie Abbot.

Abbot explained that the suit was supposed to be filed with the District Court last Thursday, but that lawyers have postponed it because the briefs had to be re-written. He did not say why.

In recent months, several suits have been filed as a result of disclosures that Federal agents and local police infiltrated the ranks of anti-war groups and conducted illegal surveillance.

This however, will be the first suit aimed at the disclosed cooperation between local and national investigative forces.

A lawyer for the ACLU, said this case has a more substantial basis.

The lawyer, Anne Pillsbury said the complaining persons and groups have records of buglaries and wire tappings of some of the people who are involved in bringing the suit. "I don't see how we can fail to establish damages," added Pillsbury.

The result of other suits has been the issuance of injunctions, which in effect barred police from additional surveillance.

Hobson filed a bill with the City Council last month that would bar police surveillance of "non-criminal" activities by individuals and groups.

Charged in the suit are violations of and conspiracies to violate the plaintiffs' First and Fourth Amendments rights, and it asks compensatory and unitive damages for the violation of those rights.

However, if the agencies that committed the surveillance are no longer in business, the suit requests that they be compelled to give back the files or any other information gathered on the defendants.

In a recent report, Pillsbury was quoted as saying, "We're not going to pretend that anybody's career ruined. We don't have to prove injury...We're asking at least about $100,000 each," he explained.

Washington Afro-American

AND THE WASHINGTON TRIBUNE

84th YEAR NO. 86 332-0080 WASHINGTON, D.C. SATURDAY JUNE 26, 1976 32 PAGES 25 CENTS

JULIUS HOBSON
Going to court

Hobson, Others Asking for Million From FBI, D.C. Police Spies of '60s

By Philip Shandler
Washington Star Staff Writer

About a dozen Washington groups and individuals — including City Councilman Julius Hobson — are going to court for damages of more than $1 million as compensation for what they allege was illegal spying on them by city police and the FBI during the turbulent 1960s.

A suit will be filed in the next few days in U.S. District Court here by the local branch of the American Civil Liberties Union, an official said.

Several suits have been filed in recent months across the country as a result of disclosures that federal agents and local police infiltrated the ranks of anti-war groups and conducted surveillance — including wiretaps — of individuals the officials targeted in a drive against the so-called New Left during the Vietnam War.

But this will be the first suit aimed at the disclosed cooperation between local and national investigative forces.

See SPY, B-5

SPY

Continued from B-1

AND THE ACLU believes there is a much more substantial basis for this suit than others for the awarding of monetary damages, said lawyer Anne Pillsbury.

The plaintiffs, besides Hobson, will include radical activist Martha Waskow, the Rev. David Eaton of All Souls Unitarian Church, freeway opponent Sammie Abbott, and several peace groups.

The defendants will be the District's Metropolitan Police Department and the Washington field office of the FBI.

"We have records of burglaries and wiretaps against these people. I don't see how we can fail to establish damages," Pillsbury said.

Other suits have resulted in injunctions in effect barring police from any further such surveillance. The pending suit will go further.

"We're willing to grant they're not doing these things anymore. We want the records of them the FBI has, and we want compensation for the violations of their civil rights," Pillsbury said.

The suit will charge violations of and conspiracies to violate the plaintiffs' First and Fourth Amendment rights and will ask compensatory and punitive damages of thousands of dollars for each of the plaintiffs' alleged violations.

"WE'RE TALKING about at least $100,000 each," Pillsbury said.

"We're not going to pretend that anybody's career was ruined — we don't have to prove injury.

"We want to have a court tell these officials, 'This is something you shouldn't do in a free society,' and the only way to make that clear is with damages," she said.

Further, if the agencies are not in this business (spying) anymore, they should be compelled to give back their files," she said.

Last month, Hobson filed a bill with the City Council that would bar police surveillance of "non-criminal" — primarily political and social — activities by individuals and organizations.

Hobson said yesterday he had been trying for weeks with no success to determine whether the D.C. police have any files on him based on past surveillance.

October 16, 1976

MEMORANDUM FOR: Plaintiffs in Hobson v Wilson

Enclosed is a copy of the interrogatories which you signed and which were filed in your case.

You will want to keep this copy for future reference.

If our finances allow it, I will have duplicated the whole set of answers for each of you so that you can see what is in the co-plaintiffs' answers. In some cases, your answers mention other plaintiffs.

Anne Pilsbury

Anne Pilsbury

1523 L. St. N.W.
Wash. D.C. 20005
628-4195

David or Sandy:
Will your office keep a file on this case, or should I send the Hobson's stuff to their home? I believe Julius said the Council would be better. A.P.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs, v. JERRY V. WILSON, et al., Defendants.	)	Civil Action No. 76-1326

PLAINTIFF TINA HOBSON'S RESPONSE TO FIRST SET OF INTERROGATORIES BY DEFENDANTS KELLEY, STAMES, KUNKEL, McDERMOTT, O'CONNOR, SAWYER, YATES, FEUER AND RARRITY

Plaintiff Tina Hobson, being duly sworn, states as follows in response to the above defendants' interrogatories.

Question 1. Please state specifically and in detail the relief you are seeking with this civil action from each of the following defendants:

(a) Clarence M. Kelley

(b) Nick Stames

(c) Robert G. Kunkel

(d) John J. McDermott

(e) Terry O'Connor

(f) Charles M. Sawyer

(g) Robert E. Yates

(h) Robert W. Feuer

(i) David Rarrity

(j) William C. Sullivan

(k) Charles D. Brennan

Response 1. The plaintiff seeks money damages in the amounts set forth in the Complaint in paragraphs one through four of the prayer for relief from each of the above-named

defendants. In addition, the plaintiff seeks the injunctive relief set forth in paragraph five of the prayer for relief only from defendant Clarence M. Kelley and such other defendants, unknown at this time to the plaintiff, as have control over files relating to the plaintiff.

Question 2. Please identify each of the above-named defendants who you allege has committed or been involved in each of the following categories of activity. With respect to each defendant, describe with particularity each act that he allegedly committed or was involved in which you assert entitles you to the relief you are seeking; whether his involvement was participatory, supervisory, or decisional; the date and location of each act; and the injury incurred. In addition, please state the name and address of each person having knowledge of each act, and identify the source of your information or the basis for your belief that each of the above-named defendants committed or was involved in each act described:

(a) Using undercover agents to fraudently [sic] gain entry to your private meetings to learn your plans and programs;

(b) electronic surveillance of you without judicial authorization;

(c) breaking and entering to obtain your membership lists and other private political documents;

(d) interception of your mail;

(e) surreptitiously following you and monitoring your activities;

(f) urging violent or unlawful actions against you;

(g) supplying the public or news media with false information about you and your plans.

Response 2. The plaintiff alleges that each of the above-named defendants engaged in the acts complained of in the following manner:

(a) Clarence M. Kelley - decisional responsibility for acts occurring since July, 1973;

(b) Nick Stames - decisional and/or supervisory responsibility for acts committed by agents or employees of the Washington Field Office (WFO) of the FBI during the period he was Special Agent in Charge (SAC) of the WFO, a period plaintiff believes to be 1973 through the present;

(c) Robert G. Kunkel - decisional and/or supervisory responsibility for acts committed by agents or employees of the WFO during the period he was SAC, a period plaintiff believes to be from an unknown time until 1971;

(d) John J. McDermott- decisional and/or supervisory responsibility for acts committed by agents or employees of the WFO during the period he was SAC, a period plaintiff believes to be from 1971 - 1973;

(e) - (i) Terry O'Connor, Charles M. Sawyer, Robert E. Yates, Robert W. Feuer, and David Rarrity - decisional or participatory responsibility for acts they committed, aided, or counseled;

(j) William C. Sullivan - decisional responsibility for acts committed by WFO agents or employees from 1964 until his retirement;

(k) Charles D. Brennan - decisional responsibility for acts committed by WFO agents or employees from 1964 until his retirement.

At this early stage, the plaintiff is unable to describe in any greater detail than that just provided which defendants performed which of the actions alleged. The

plaintiff bases her belief that the plaintiff was subject to the acts outlined in (a) through (g) above on: (1) public statements and publicly available documents by, or on behalf of, or about the defendants which state that said acts did occur; (2) the fact that the plaintiff is the same type of individual or group which the defendants have admitted these acts were committed against; and (3) actual experiences of the plaintiff which indicate that in fact the plaintiff was subject to these acts.

The plaintiff's belief that these acts did occur is based upon the reports and documents discussed in Response Two to these interrogatories submitted by co-plaintiff Julius Hobson and incorporated herein. (See pages 4 through 8, Response of Plaintiff Julius Hobson to First Set of Interrogatories filed Oct. 8, 1976). The plaintiff submits that the following experiences and observations indicates that the plaintiff was in fact a target for the COINTELPRO tactics described in the reports and documents referred to in the Hobson Response.

1. The plaintiff spoke at many major anti-war demonstrations in the Washington, D.C. area and allowed her name to be used as a supporter by various anti-war groups, including the National Mobilization to End the War, the Vietnam Moratorium Day Committee, the Peoples Coalition for Peace and Justice and others. The plaintiff cannot recall ever refusing to endorse or support an anti-war activity in the 1967-1974 period.

2. In addition to the peace movement, the plaintiff was an outspoken advocate of womens' rights including, but not limited to abortion rights.

3. The plaintiff has read news reports quoting one James Binsted, former undercover intelligence officer for the

D.C. Police, who stated that his wife, Dorie, assisted him in his assigned task of obtaining information on the plaintiff's political activities by infiltrating groups the plaintiff belonged to. Mrs. Binsted reported back on the plaintiff's political and community activities, especially activities concerning equal opportunity for women. According to James Binsted, local police were anxious to establish the fact that the plaintiff and/or her husband were socialists. (Washington Post, Feb. 15, 1975.)

Fuller details on the nature of the defendants' activities involving the plaintiff are uniquely within the custody and control of the defendants themselves.

The plaintiff would note, in response to 2(f) of the Second Interrogatory, that no allegation is being made that violence was committed upon the plaintiff. The allegation of the Complaint is that the defendants' agents urged or tried to provoke the plaintiff to engage in violent activities.

Question 3. To each individual plaintiff: Please list in chronological order your business and residential addresses and phone numbers from 1967 to 1974.

Response 3.

Home addresses:

1966-1969	1531 31st St., N.W. Washington, D.C. (cannot recall phone number)
1969-1971	Capital Park Townhouse, S.W. Washington, D.C. (202-488-8290)
1971-1972	Harbor Square Apartments, S.W. Washington, D.C. (same phone as above)
1972-present	901 6th St., S.W. Washington, D.C. (same phone as above)

Business addresses:

1966-1967	National Institute of Public Affairs 1825 K St., N.W.
1967-1974	U.S. Civil Service Commission 1900 E. St., N.W. (632-4404)
1974-present	Federal Energy Administration 1200 Pennsylvania Ave., N.W. (254-8527)

Question 5. Please set forth in detail the information or the basis for the belief which lead you to believe that you have been subjected to electronic surveillance; including: (a) the specific facts which lead you to believe that you have been subjected to electronic surveillance; (b) the date and location of each suspected surveillance; (c) the identity of the person(s), by name and description together with their respective telephone numbers, with whom you were communicating at the time each claimed surveillance took place; (d) the subject matter of each communication claimed to have been intercepted.

Response 5. In approximately 1972 when the plaintiff's husband Julius Hobson was a national vice-presidential candidate on the Peoples' Party, the plaintiff strongly suspected their home phone was tapped but there were no dramatic incidents that she can recall to confirm this.

Question 6. If you are alleging electronic surveillance other than telephone surveillance, please state: (a) the type, date, and location of each instance of alleged electronic surveillance; (b) the specific facts which lead you to believe that you were subjected to electronic surveillance; (c) the identity of the person(s), by name and description, with whom you were communicating at the time each claimed surveillance took place; (d) the subject matter of each communication claimed to have been intercepted.

Response 6. The plaintiff knows of no specific incidents.

Question 7. Please state whether you have previously sought or are now seeking (other than in the instant civil action) relief in any court for any category of activity alleged in your Complaint (described in Interrogatory 2(a) through 2(g), above).

Response 7. No.

Question 8. Please state whether in connection with any judicial, congressional, administrative, or other governmental proceeding you have ever given any written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state: (a) the name, title, or nature of the court, committee, agency, etc., to which you gave your statement; (b) the date and location of your statement and whether it was written or oral, sworn or unsworn; (c) the substance of your statement.

Response 8. No.

Question 9. Please state whether you have ever made to any reporter, commentator, columnist, etc., or before any gathering of two or more persons a written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state: (a) the name of the reporter, commenator, columnist, etc., to whom the statement was made, or, if to a gathering, the names of the persons present and the nature of the gathering; (b) the date and location the statement was given and whether it was written or oral; (c) the title, date, issue number, and page number of the publication if the statement or an account of the statement was published, or the date and station or network if the statement or an account of the statement was broadcast; (d) the substance of the statement.

Response 9. The plaintiff made a brief oral statement at the press conference held July 16, 1976 in the District Building, 14th & E. Sts., N.W., to announce the filing of this suit. She does not know if it was ever broadcast or published.

District of Columbia, ss:

I, Dina C. Watson, being duly sworn depose and say that I have read the foregoing answers to certain (federal) defendants' First Set of Interrogatories and that these answers are true and correct to the best of my knowledge and belief.

Dina C. Watson
Plaintiff/Affiant

Sworn and subscribed to be fore me this 7th day of October, 1976.

Francine C. Disuk
Notary Public

My Commission Expires June 30, 1981

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs, v. JERRY V. WILSON, et al., Defendants.	)	Civil Action No. 76-1326

PLAINTIFF JULIUS HOBSON'S RESPONSE TO FIRST SET OF INTERROGATORIES BY DEFENDANTS KELLEY, STAMES, KUNKEL, McDERMOTT, O'CONNOR, SAWYER, YATES, FEUER AND RARRITY

Plaintiff Julius Hobson, being duly sworn, states as follows in response to the above defendants' interrogatories.

Question 1. Please state specifically and in detail the relief you are seeking with this civil action from each of the following defendants:

(a) Clarence M. Kelley

(b) Nick Stames

(c) Robert G. Kunkel

(d) John J. McDermott

(e) Terry O'Connor

(f) Charles M. Sawyer

(g) Robert E. Yates

(h) Robert W. Feuer

(i) David Rarrity

(j) William C. Sullivan

(k) Charles D. Brennan

Response 1. The plaintiff seeks money damages in the amounts set forth in the Complaint in paragraphs one through four of the prayer for relief from each of the above-named

defendants. In addition, the plaintiff seeks the injunctive relief set forth in paragraph five of the prayer for relief only from defendant Clarence M. Kelley and such other defendants, unknown at this time to the plaintiff, as have control over files relating to the plaintiff.

Question 2. Please identify each of the above-named defendants who you allege has committed or been involved in each of the following categories of activity. With respect to each defendant, describe with particularity each act that he allegedly committed or was involved in which you assert entitles you to the relief you are seeking; whether his involvement was participatory, supervisory, or decisional; the date and location of each act; and the injury incurred. In addition, please state the name and address of each person having knowledge of each act, and identify the source of your information or the basis for your belief that each of the above-named defendants committed or was involved in each act described:

(a) Using undercover agents to fraudently gain entry to your private meetings to learn your plans and programs;

(b) electronic surveillance of you without judicial authorization;

(c) breaking and entering to obtain your membership lists and other private political documents;

(d) interception of your mail;

(e) surreptitiously following you and monitoring your activities;

(f) urging violent or unlawful actions against you;

(g) supplying the public or news media with false information about you and your plans.

Response 2. The plaintiff alleges that each of the above-named defendants engaged in the acts complained of in the following manner:

(a) Clarence M. Kelley - decisional responsibility for acts occurring since July, 1973;

(b) Nick Stames - decisional and/or supervisory responsibility for acts committed by agents or employees of the Washington Field Office (WFO) of the FBI during the period he was Special Agent in Charge (SAC) of the WFO, a period plaintiff believes to be 1973 through the present;

(c) Robert G. Kunkel - decisional and/or supervisory responsibility for acts committed by agents or employees of the WFO during the period he was SAC, a period plaintiff believes to be from an unknown time until 1971;

(d) John J. McDermott- decisional and/or supervisory responsibility for acts committed by agents or employees of the WFO during the period he was SAC, a period plaintiff believes to be from 1971 - 1973;

(e) - (i) Terry O'Connor, Charles M. Sawyer, Robert E. Yates, Robert W. Feuer, and David Rarrity - decisional or participatory responsibility for acts they committed, aided, or counseled;

(j) William C. Sullivan - decisional responsibility for acts committed by WFO agents or employees from 1964 until his retirement;

(k) Charles D. Brennan - decisional responsibility for acts committed by WFO agents or employees from 1964 until his retirement.

The plaintiff cannot at this early stage identify which acts were performed by which defendants beyond the outline just given.

The plaintiff bases his belief that the plaintiff was subject to the acts outlined above in (a) through (g) on: (1) public statements and publicly available documents by, or on behalf of, or about the defendants which state that said acts did occur; (2) the fact that the plaintiff is the same type of individual or group which the defendants have admitted these acts were committed against; and (3) actual experiences of the plaintiff which indicate that in fact he was indeed targeted by the defendants for some or all of the acts described.

The plaintiff's belief that the alleged acts were carried on by the defendants is based on the following reports, statements and documents.

-- Department of Justice press release, Nov. 18, 1974. The press release states that from 1968 through 1971, the F.B.I. conducted a "counterintelligence" program, referred to as "COINTELPRO," against the New Left; from 1967 through 1971, a similar COINTELPRO against black extremists; and from 1961 through 1970, a third COINTELPRO against the Socialist Workers Party. The purpose of these COINTELPROs was "the disruption of the group's activities; or the disruption, exposure and neutralization thereof." In each program, the Department of Justice announced the following activities were carried on by F.B.I. agents and officials:

(1) Sending anonymous or fictitious materials to members or groups in an effort to sow dissension among members and groups.

(2) Dissemination of the fruits of F.B.I. surveillance on groups and persons to news media, including information received from informants.

(3) Use of informants to disrupt a group's activities.

(4) Interfering with economic interests of target groups and persons.

(5) Attempting to use religious and civic leaders "to exert pressure on state and local governments, employers and landlords to the detriment of the various groups."

(6) Establishing sham organizations for disruptive purposes.

(7) Informing family and friends of radical and immoral activities, including fabricated reports of same.

The plaintiff would note that items 7 and 2 above lend support to the allegation regarding news media contacts referred to as item (g) of the defendants' interrogatory and that item 3 above lends support to the allegation listed at (a) in the defendant's interrogatory. The plaintiff's allegations regarding electronic surveillance (item (b) above), breaking and entering (item (c)), mail interception (item (d)), surveillance (items (a) and (e)), are based on the following documents and reports.

-- Hearings on Intelligence Activities before the Select Committee to Study Governmental Operations with respect to Intelligence Activities, U. S. Senate, 1st Sess., Vol. 6, 1975 (hereinafter "Hearings, Vol. 6").

-- Hearings on Mail Opening before the Select Committee to Study Governmental Operations, U. S. Senate, 1st Sess., Vol. 4, 1975 (hereinafter "Hearings, Vol. 4").

-- Final Report of the Select Committee to Study Governmental Operations with respect to Intelligence Activities, Book II, U. S. Senate, 2d Sess., 1976 (hereinafter "Final Report, Book II").

1. Breaking and entering: See document at Hearings, Vol. 6, 357, in which F.B.I. official W. C. Sullivan writes F.B.I. official C. D. DeLoach describing procedure for approval and filing of burglaries against political activists.

2. Mail opening: According to Congressional findings, the F.B.I. opened or monitored mail of political activists through 1966 and from 1969, if not earlier, cooperated with the C.I.A. in a mail opening program (Hearings, Vol. 4). In 1972, the F.B.I. asked the C.I.A. to monitor and/or open the mail of "New Left activists, extremists, and other subversives. . . peace organizations such as People's Coalition for Peach and Justice, National Peace Action Committee, and Women's Strike for Peace. . . ." (Memo from J. Edgar Hoover, quoted at Final Report, Book II, p. 209.)

3. Surveillance: According to Congressional findings, based on F.B.I. data, the F.B.I. investigated (between 1955 and 1975) 480,000 "subversives" and 33,000 "extremists." This included investigation of "a wide variety of university, church and political groups opposed to the Vietnam war;" and "the Women's Liberation Movement." (Final Report, Book II, p. 167.) Surveillance was conducted of peaceful, law-abiding groups through the use, inter alia, of paid informants, and warrantless break-ins to offices to steal membership lists and/or to install microphones. (Final Report, Book II, p. 13.) Among the specific activities or events on which the F.B.I. has stated surveillance was conducted are:

-- The Democratic National Conventions in Atlantic City in 1964 and in Chicago in 1968. (Hearings, Vol. 6, p. 175; 740.)

-- Organizations involved in planning the November, 1969 antiwar "March on Washington" including the Vietnam Moratorium Day Committee. (Final Report, Book II, p. 107.)

-- The Poor Peoples Campaign held in Washington, D. C., summer, 1968. (Final Report, Book II, p. 223.)

In addition to this general surveillance, certain persons were targeted by the F.B.I. for inclusion in the Security Index (later known as the Administrative Index or ADEX); persons so targeted were to be "rounded up" for detention in the event of a national emergency. (Final Report, Book II, 91-92; Hearings, Vol. 6, 645, 667.)

The plaintiff believes he was listed on the Security or Administrative Index and was subject generally to the full panoply of COINTELPRO activities discussed above because the plaintiff was active in the antiwar movement, and supported or belonged to organizations the F.B.I. has labeled "subversive" or "extremist."

In addition to the fact that the plaintiff is a member of the group the F.B.I. labels as the New Left, the following personal observations and experiences lead the plaintiff to believe he was subject to the acts outlined in (a) through (g).

1. The F.B.I. contacted plaintiff Julius Hobson in 1964 and asked him to be an informant for them at the Democratic National Convention in Atlantic City, N. J. Plaintiff Hobson at this time had gained local and national attention for his outspoken criticism of the treatment of black children in Washington, D. C. public schools.

2. In 1967, the plaintiff gave a speech to students at Georgetown University and was told by students and faculty (whose names he either never knew or cannot now recall) that F.B.I. agents were on campus trying to find out what he had said in the speech.

3. On a number of occasions, the exact dates the plaintiff did not record, he has been identified in local or national press as a "black militant," "extremist" or "Communist."

4. During the height of the antiwar movement, roughly 1968 - 1971, the plaintiff spoke at many major peace demonstrations including, to the best of his recollection, but not limited to, Vietnam Moratorium Day, October 16, 1969; the National Mobilization Day demonstration on November 15, 1969; and the May Day demonstrations, May 3 - 5, 1971. The plaintiff allowed his name to be used as a supporter of various antiwar groups and coalitions including: the National Mobilization, the Washington Area Peace Action Coalition, and the Peoples Coalition for Peace and Justice.

5. The plaintiff has been informed by Chief Maurice Cullinane of the D. C. Police Department that files were kept by that department on him during the "mass demonstration ear." (Letter to Hobson, from Cullinane, 7/1/76.)

6. The plaintiff has been informed by Clarence M. Kelley, Director, F.B.I., that the F.B.I. has files on a person with "a name similar to yours." (Letter to Hobson from Kelley, 7/23/76.)

7. During the period 1967 - 1969, the plaintiff's office at 300 M Street, S. W., was broken into on several occasions and nothing of any apparent monetary value was stolen; however, the carbon ribbon being used on the office typewriter, files, and used carbon papers were stolen. These burglaries were reported to the D. C. Police, but no suspects were ever apprehended as far as the plaintiff knows. The offices were those of the Washington Institute for Quality Education, an organization formed by the plaintiff.

Fuller details on the nature of the defendants' activities involving the plaintiff are uniquely within the custody or control of the defendants themselves.

The plaintiff would state, in response to 2(f) above, that no allegation is made of violence upon the plaintiff. The allegation in the complaint is that the defendants' agents urged or tried to provoke the plaintiff to engage in violent activities.

Question 3. To each individual plaintiff: Please list in chronological order your business and residential addresses and phone numbers from 1967 to 1974.

Response 3. During the period 1967 - 1974, the plaintiff was employed by the Department of HEW, Social Security Administration, and the Washington Institute for Quality Education located at 300 M Street, S. W.

His residence from 1967 until approximately 1973 was 300 M Street, S. W., Washington, D. C.

Question 4. To each organizational plaintiff: Please set forth (a) the date you were organized; (b) a chronological list of your organizational addresses, with the phone number at each and the identity of the person(s) in whose name the number was listed.

Response 4. Not applicable.

Question 5. Please set forth in detail the information or the basis for the belief which leads you to allege that you were subjected to electronic surveillance, including: (a) the specific facts which lead you to believe that you have been subjected to electronic surveillance; (b) the date and location of each suspected surveillance; (c) the identity of the person(s), by name and description together with their respective telephone numbers, with whom you were communicating at the time each claimed surveillance took place; (d) the subject matter of each communication claimed to have been intercepted.

Response 5. The plaintiff believes he was under electronic telephone surveillance because of his active role in the community and because he has read statements in the press that indicate he was. The plaintiff was a member of a group referred to as "Associated Community Teams" (ACT), and he observed that the police, without any prior public announcement by ACT members, often knew where ACT persons were and what they had planned. He believes this was the first of electronic surveillance of some form, most probably telephone.

Question 6. If you are alleging electronic surveillance other than telephone surveillance, please state: (a) the type, date, and location of each instance of alleged electronic surveillance; (b) the specific facts which lead you to believe that you were subjected to electronic surveillance; (c) the identity of the person(s), by name and description, with whom you were communicating at the time each claimed surveillance took place; (d) the subject matter of each communication claimed to have been intercepted.

Response 6. It is impossible to know with any certainty; based on general knowledge of government intelligence gathering practices and episodes such as those described in responses five and two above, the plaintiff has reason to believe informants may have taped his conversations made by him to groups.

Question 7. Please state whether you have previously sought or are now seeking (other than in the instant civil action) relief in any court for any category of activity alleged in your complaint (described in Interrogatory 2(a) through 2(g), above).

Response 7. No.

Question 8. Please state whether in connection with any judicial, congressional, administrative, or other governmental proceeding you have ever given any written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state: (a) the name, title, or nature of the court, committee, agency, etc., to which you gave your statement; (b) the date and location of your statement and whether it was written or oral, sworn or unsworn; (c) the substance of your statement.

Response 8. None.

Question 9. Please state whether you have ever made to any reporter, commentator, columnist, etc., or before any gathering of two or more persons a written or oral statement concerning any of the matters alleged in this civil action. If your answer is in the affirmative, please state: (a) the name of the reporter, commentator, columnist, etc., to whom the statement was made, or, if to a gathering, the names of the persons present and the nature of the gathering; (b) the date and location the statement was given and whether it was written or oral; (c) the title, date, issue number, and page number of the publication if the statement or an account of the statement was published, or the date and station or network if the statement or an account of the statement was broadcast; (d) the substance of the statement.

Response 9. The plaintiff has referred to the events alleged herein on occasion when speaking at churches, universities and rallys throughout the city. He has made hundreds of such appearances, and it is impossible to provide the dates and locations.

The plaintiff made an oral statement at a press conference given July 16, 1976 on the filing of this suit.

DISTRICT OF COLUMBIA, ss:

I, Julius Hobson, being duly sworn, depose and say that I have read the foregoing answers to certain (federal) defendants' First Set of Interrogatories and that these answers are true and correct to the best of my knowledge and belief.

Julius W. Hobson
Julius Hobson

SUBSCRIBED and SWORN to before me this 7th day of October, 1976.

Pauline Gaillard
Notary Public

My Commission expires: Jan. 14, 1978

WOMEN strike for PEACE

120 MARYLAND AVE., N.E., WASHINGTON, D.C. 20002
Area Code 202 - 546-7397

For release 7/16/76

For further information:
Edith Villastrigo, Lynne Watson (author of this statement) 546-7397

WOMEN STRIKE FOR PEACE, VICTIM OF WATERGATE TACTICS,
SUPPORTS D.C. BILL OF RIGHTS COMMITTEE'S LAWSUIT AGAINST POLICE

Washington Area Women Strike for Peace supports City Councilman Julius Hobson's Bill 1-287, the "Non-Criminal Police Surveillance Act" and we are a plaintiff in the lawsuit brought by the D.C. Bill of Rights Committee against D.C. police and FBI officials involved in surveillance and related tactics against local citizen groups. WSP commends Councilwoman Willie J. Hardy for holding hearings in her Public Safety Committee on Mr. Hobson's bill. We wish that all officials were as devoted as Mrs. Hardy and Mr. Hobson to the quest for peace and a new and more humane U.S. foreign policy.

Women Strike for Peace is a national organization, founded in 1961 to work on the dangers of nuclear warfare and the world's need for disarmament. When the U.S. government intervened in the Vietnamese civil war in the early 1960's we began to work fulltime for an end to that intervention. We supported and helped organize the major peace demonstrations of the past decade, as well as spent countless hours leafletting, picketing the White House, lobbying Congress, etc. for an end to the war.

The Rockefeller Commission report revealed last June that Women Strike for Peace was one of several organizations targeted by the Central Intelligence Agency in its "Operation Chaos". The CIA used illegal mail openings, agent provacateurs, wiretaps and other extreme spy tactics against national WSP. We were the only women's group named as so targeted.

RECEIVED
JUL 19 1976
Julius Hobson, Sr.
Councilmember-At-Large

Our activities and our meetings are completely open and we use only peaceful methods in our theoretically Constitutionally-protected work.

We are in support of Councilman Hobson's bill and of the D.C. Bill of Rights Committee lawsuit because W.S.P. is an on-going organization in the Washington area. We have seen the District of Columbia police used by the CIA and FBI in Watergate tactics in the past. We don't want to see this happen again.

Americans would like to think the days of Watergate are over, but we wonder if they really are. On July 4th several of us WSPers attended the peaceful and legal gathering of the People's Bicentennial Commission on the Mall. A woman friend of Ms. Watson's from out of town was sitting on the grass, holding one of our WSP placards. She said that a photographer approached her, taking a photo of the placard and then trying to photograph her face from several angles. Although at one point she covered her face with her hand the photographer waited until she dropped her hand and took a few more shots of her face. "Does this always happen to WSP women?" she asked later, and sorry to say, we have to answer "yes". July 4th was typical of other large and peaceful demonstrations in that dozens of photographers methodically shot photos of as many individuals there as possible. Doubtless a number of these photographers are legitimate newspeople; we suspect a good number are not.

There are several newspaper articles which present a record of the role of the D.C. police in using Watergate-type tactics:

* According to the Washington Post (6/22/75) "antiwar demonstrations had replaced the threat of ghetto disorder...as the intelligence division's chief preoccupation." (That refers to the 'intelligence division' of the D.C. police). "The intelligence division enrolled agents in local universities, infiltrated agents into protest groups and student organizations, and assembled files on persons and organizations,

sharing the information with federal agencies, including the CIA." The police department exchanged information, equipment and training with the CIA. "City police officers were trained in lock-picking, surveillance and electronic eavesdropping. CIA recruits were sent to the police department for what Zanders (Insp. Theodore Zanders, then head of 'intelligence') calls 'stress training', simulated arrest and interrogation to test their reactions."

* What proof is there that the files on antiwar people and community activists by the D.C. police 'intelligence division' really were shredded? Perhaps the police can drop over to Langley every now and then to check on the duplicate copies they made for the CIA. From the Post (2/12/75): "In addition to taking pictures of antiwar demonstrators and infiltrating political groups...the intelligence division's undercover officers 'periodically followed people around'."

The former high-ranking police official who was the source for that story added that "police officials routinely said they were gathering data or looking up records for 'the people across the river'."

* Former 'undercover agents' for the D.C. police have testified that they provoked violence at peace demonstrations to discredit our antiwar movement. At the Public Safety Committee hearings last July former 'intelligence' officer James Binstead testified that his superiors "told us to disrupt" antiwar demonstrations and meetings. (W.Post 7/26/75). "I would come in and try to break up meetings...get into fights, that kind of thing," said Binstead.

At those hearings Sgt. Dixie Gildon of the D.C. police refused to say in which citizen groups she had placed informants. Women Strike for Peace is confident that this lawsuit brought against the police by the D.C. Committee for the Bill of Rights will force arrogant lawbreakers such as Gildon to reveal the truth of their methods against groups such as ours.

Those hearings also resulted in revelations about the work of another D.C. 'undercover' agent, Anne Kolego Markowich. Journalist Rich Pollock testified that Markowich "encouraged demonstrators without success to jump the fence at the White House during a civil disobedience protest in October, 1971, unsuccessfully urged a group marching on the Pentagon to detonate a bomb in the building in April 1972, and shouted encouragement to demonstrators throwing rocks and bottles at police during a mass rally at the Capitol in October 1971."

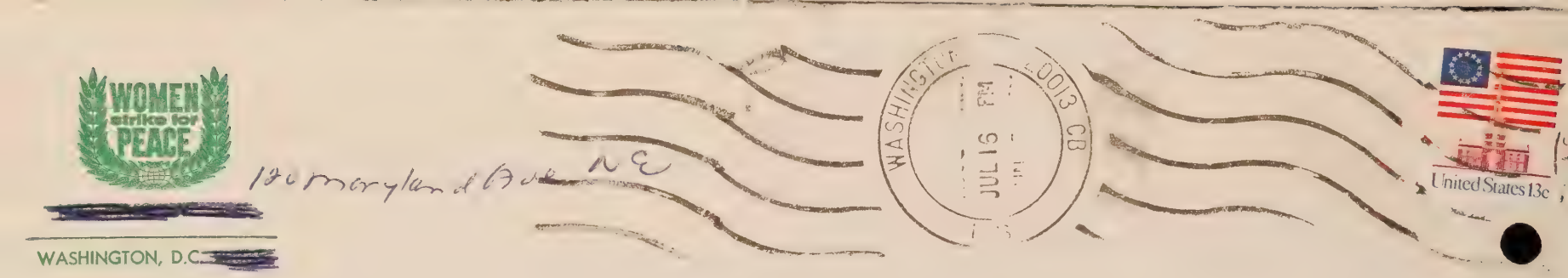
* What are these former 'undercover' agents doing today, we ask? We know that a police officer named John O'Connor infiltrated Vietnam Veterans Against the War for awhile in 1971, then stopped this work when he realized that VVAW was doing nothing illegal -- but he was.

Then there's Sheila Louise Rees, who now works for Rep. Larry McDonald. In 1971 she was known as Sheila O'Connor and she infiltrated the National Lawyers Guild here. The New York Assembly's Office of Legislative Oversight and Analysis has done a report on the rightwing newsletter Rees now publishes, named Information Digest. The man she lived with in the early 70's, John Rees, also an editor of Information Digest, is named in the Assembly report as a former paid informant for the D.C. Police, as well as for police in California, Maryland, New Jersey and New York State. According to this legislative study Sheila and John Rees gathered unevaluated and defamatory 'information' which is used to "develop dossiers on thousands of patriotic and decent Americans who had committed no crime and were not suspected of committing a crime."

Because of the past record of the District police there can be no assurance to citizen organizations that their rights will be protected unless the City Council passes the Hobson Bill. Likewise, making agents and their local and federal bosses pay for damages to W.S.P. and other groups may stop future Watergate tactics.

Finally, W.S.P. offices at 2140 P Street, N.W. were burglarized in March 1969. Office equipment was stolen. In July 1970 an office we had at 4402 Georgia Ave., N.W. was also burglarized and our mimeograph machine was stolen. In both break-ins our papers were scattered about the floor. No one has ever been arrested for these break-ins.

###



120 Maryland Ave NE

[redacted]

WASHINGTON, D.C. [redacted]

20002

Councilman Julius Hobson Sr.
District of Columbia City Council
District Bldg.
Washington, D.C.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JULIUS HOBSON 901 6th Street, S. W. Apt. 214-A Washington, D. C. 20024 (202) 724-8072	
ABE BLOOM 3313 Harrell Street Wheaton, Maryland 20906 (303) WH 2-5393	
ARTHUR I. WASKOW 1808 Wyoming Avenue, N. W. Washington, D. C. (202) 332-3307	Civil Action No.
TINA HOBSON 906 6th Street, S. W. Apt. 214-A Washington, D. C. 20024 (202) 254-9494	
REV. DAVID EATON 2039 New Hampshire Avenue, N.W. Washington, D. C. (202) 332-5266	
SAMMIE A. ABBOTT 1015 Dupont Circle Building 1346 Connecticut Avenue, N. W. Washington, D. C. 20036 (202) 296-4350	
RICHARD P. POLLOCK 1740 S Street, N. W. Washington, D. C. 20009 (202) 667-9076	
WASHINGTON PEACE CENTER 2111 Florida Avenue, N. W. Washington, D. C. 20008 (202) 234-2000	
WASHINGTON AREA WOMEN STRIKE FOR PEACE 120 Maryland Avenue, N.E. Washington, D. C. 20002 (202) 546-7397	
EMERGENCY COMMITTEE ON THE TRANSPORTATION CRISIS 1015 Dupont Circle Building 1346 Connecticut Avenue, N.W. Washington, D. C. 20036 (202) 296-4350	

REGINALD H. BOOKER
459 Luray Place, N. W.
Washington, D. C. 20010
(202) 723-3330

Plaintiffs

v.

CHIEF JERRY V. WILSON (Retired)
Metropolitan Police Department
4415 Springdale Street, N. W.
Washington, D. C.

CHIEF JOHN B. LAYTON (Retired)
Metropolitan Police Department
1845 Redwood Terrace, N. W.
Washington, D. C.

INSPECTOR ROBERT L. ZINK
Metropolitan Police Department
Intelligence Division
300 Indiana Avenue, N. W.
Washington, D. C.

INSPECTOR ALBERT W. FERGUSON
Metropolitan Police Department
Field Inspection Division
300 Indiana Avenue, N. W.
Washington, D. C.

INSPECTOR THOMAS J. HERLIHY
Metropolitan Police Department
300 Indiana Avenue, N. W.
Washington, D. C.

ASST. POLICE CHIEF THEODORE R. ZANDERS
Metropolitan Police Department
300 Indiana Avenue, N. W.
Washington, D. C.

SGT. CHRISTOPHER J. SCRAPPER
Metropolitan Police Department
1st District
415 Fourth Street, S. W.
Washington, D. C.

SGT. DIXIE GILDON
Metropolitan Police Department
1st District
415 Fourth Street, S. W.
Washington, D. C.

EDWARD J. JAGEN
Metropolitan Police Department
Intelligence Division
300 Indiana Avenue, N. W.
Washington, D. C.

CAPT. GEORGE R. SUTER)
Metropolitan Police Department)
Administrative Duty Branch)
300 Indiana Avenue, N. W.)
Washington, D. C.)
)
LT. ALBERT JOHNSON, JR.)
Metropolitan Police Department)
2nd District)
3320 Idaho Avenue, N. W.)
Washington, D. C.)
)
HAROLD BYNUM)
Metropolitan Police Department)
4th District)
6001 Georgia Avenue, N. W.)
Washington, D. C.)
)
CHARLES C. ROBINSON)
Metropolitan Police Department)
6th District)
4135 Benning Road, N. E.)
Washington, D. C.)
)
CARL SHOFFLER)
Metropolitan Police Department)
Intelligence Division)
300 Indiana Avenue, N. W.)
Washington, D. C.)
)
JOHN W. MAHANEY)
Metropolitan Police Department)
Morals Division)
300 Indiana Avenue)
Washington, D. C.)
)
ANN KOLEGO MARKOVICH)
4401 Q Street, N. W.)
Washington, D. C.)
)
JAMES BINSTED)
4812 MacArthur Boulevard)
Washington, D. C.)
)
DORIE BINSTED)
4812 MacArthur Boulevard)
Washington, D. C.)
)
THOMAS FULCHER)
(address unknown))
)
UNKNOWN AGENTS)
Metropolitan Police Department)
Washington, D. C.)
)
DISTRICT OF COLUMBIA)
A Municipal Corporation)
Serve: Walter E. Washington,)
Mayor)
14th & E St., N.W.)
Washington, D. C.)

CLARENCE M. KELLEY)
Director, Federal Bureau of)
Investigation)
J. Edgar Hoover Building)
Washington, D. C.)
)
WILLIAM C. SULLIVAN)
Assistant Director (Retired))
Federal Bureau of Investigation)
Sunset Road)
Sugar Hill, New Hampshire 03585)
)
CHARLES BRENNAN)
Assistant Director (Retired))
Federal Bureau of Investigation)
(address unknown))
)
NICK STAMES)
Special Agent in Charge)
Washington Field Office, FBI)
12th & Pennsylvania Ave.,N.W.)
Washington, D. C. 20535)
)
ROBERT G. KUNKEL)
Special Agent in Charge)
Alexandria Field Office, FBI)
Room 500)
300 N. Lee Street)
Alexandria, Virginia 22314)
)
JOHN J. McDERMOTT)
Federal Bureau of Investigation)
J. Edgar Hoover Building)
Washington, D. C.)
)
TERRY O'CONNOR)
Washington Field Office, FBI)
OPO Building)
12th & Pennsylvania Ave., N. W.)
Washington, D. C. 20001)
)
CHARLES M. SAWYER)
Washington Field Office, FBI)
OPO Building)
12th & Pennsylvania Ave., N. W.)
Washington, D. C.)
)
ROBERT E. YATES)
Washington Field Office, FBI)
OPO Building)
12th & Pennsylvania Ave., N. W.)
Washington, D. C.)
)
ROBERT W. FEUER)
Washington Field Office, FBI)
OPO Building)
12th & Pennsylvania Ave., N. W.)
Washington, D. C.)

DAVID RARRITY)
Washington Field Office, FBI)
OPO Building)
12th & Pennsylvania Ave., N. W.)
Washington, D. C.)
)
UNKNOWN AGENTS)
Washington Field Office, FBI)
Washington, D. C.)
)
Defendants)
)

COMPLAINT
(Damages and Injunctive Relief)

JURISDICTION

1. This is an action for damages for violation of the plaintiffs' First, Fourth, Fifth and Ninth Amendment rights, for violation of 42 U.S.C. §§1985(3) and 1986, for violation of Federal and District of Columbia laws governing the interception of oral communications, and for trespass, conversion and invasion of privacy.

2. The jurisdiction of the Court is based on 28 U.S.C. §§1331; 1343(1), (2) and (4); 1337; and 1355. The amount in controversy exceeds $10,000, exclusive of interest and costs, for each plaintiff.

PARTIES

Plaintiffs

3. Julius Hobson, resident of the District of Columbia, and member of the D. C. City Council, has been an active leader in community activities, including the anti-war movement since before 1964 through the present.

4. Abraham Bloom, an electronic engineer and a resident of Maryland, has been, since before 1964, active in community affairs including the anti-war movement and was one of the principal organizers of the Washington Area Peace Action Coalition and is its present chairperson.

5. Arthur Waskow, a resident of the District of Columbia, has since 1964 been a fellow at the Institute for Policy Studies, a private social research organization.

6. Tina Hobson, a resident of the District of Columbia and an employee of the Federal Energy Administration, has been an active leader in community affairs, including the anti-war movement and the women's movement since before 1964 through the present. From 1967 through 1969, she was Director of the Federal Women's Program at the U. S. Civil Service Commission.

7. Reverend David Eaton, a resident of the District of Columbia, has been since 1969 the Minister of All Souls' Unitarian Universalist Church in Washington, D. C., and has been since before 1964 an active leader in community affairs, including the anti-war movement.

8. Sammie Abbott, a resident of Maryland and a graphic artist, has been since before 1964 an active leader in community affairs, including the anti-war movement, and is publicity coordinator for the Emergency Committee on the Transportation Crisis.

9. Richard Pollock, a resident of the District of Columbia, is a free-lance journalist and was active in the anti-war movement as a college student (1969-1971) and subsequently.

10. The Washington Peace Center is a private, non-profit organization having as one of its chief goals the diversion of government spending from military armaments to peaceful, domestic programs and which has, since 1964 through the present, carried out local and nationwide programs to further these goals.

11. Washington Area Women Strike for Peace (WSP), the local branch of the national Women's Strike for Peace, is a private, non-profit organization whose goals and activities

are dedicated to mobilizing women as a force for peace both in their own communities and in the nation and in an effort to achieve their goal, WSP, from 1964 through the present, organized meetings, marches and demonstrations of women and men to express their members' opposition to the United States' military involvement in Indochina.

12. The Emergency Committee on the Transportation Crisis is a private, non-profit association of local area residents opposed to unnecessary and excessive freeway construction in the District of Columbia and environs and who urge and support local government efforts to plan for human beings rather than solely for automobile travel and storage; ECTC has been active since 1965.

13. Reginald H. Booker, a resident of the District of Columbia and an employee of the D. C. Department of Human Resources, is Vice-President of the Black United Front, an organization he helped establish in 1967.

Defendants

14. Defendant John B. Layton and his successor, defendant Jerry V. Wilson, served successive terms as Chief of the Police Department of the District of Columbia during the period relevant to this complaint, viz. 1964-1974. As Chief of Police, defendants Layton and Wilson were responsible for the formulation, administration and implementation of Metropolitan Police Department policy and practices concerning political surveillance. Defendants Zanders, Zink, Ferguson and Herlihy had supervisory responsibility for the operations of the Intelligence Division of the D. C. Police Department during some or all of the period 1964-1974.

15. Defendants Gildon, Shoffler, Ferguson, Suter, Scrapper, Johnson, Bynum, Jagen, Robinson, and Mahaney are members

of the Metropolitan Police Department and were employed by or assigned to the Intelligence Division of the Police Department during some or all of the period 1964-1974.

16. Defendants Markovich, Binsted, Fulcher and other unknown persons were paid informants of the Metropolitan Police Department during the period of 1964-1974.

17. Clarence M. Kelley is Director of the Federal Bureau of Investigation (FBI), a position he has occupied since July, 1973.

18. William C. Sullivan, a resident of New Hampshire, is a retired official of the FBI and was during most of the period 1964-1974 Assistant Director of the FBI in charge of the Intelligence Division and had responsibility for administering, inter alia, the FBI's counter-intelligence programs.

19. Charles D. Brennan is a retired official of the FBI who, during most of the period 1964-1974, was assigned to the Intelligence Division where he had responsibility, inter alia, for developing FBI policies vis-a-vis the New Left.

20. Robert G. Kunkel is the Special Agent in Charge (SAC) of the Alexandria Field Office of the FBI and was from an unknown time and until 1971 the Special Agent in Charge (SAC) of the Washington, D. C. Field Office.

21. John J. McDermott is an employee of the FBI currently assigned to duty in the J. Edgar Hoover Building and who was from 1971-1973 the SAC of the Washington, D. C. Field Office.

22. Nick Stames is currently the SAC of the Washington, D. C. Field Office.

23. David Rarrity, Charles M. Sawyer, Robert E. Yates, Robert W. Feuer, Terry O'Connor, and William Tucker were employees of the Washington Field Office of the FBI during part or all of the period 1964-1974.

24. The District of Columbia is responsible for the acts and liabilities of its employees and agents.

FACTS

25. From 1967 or 1968 to 1974, the defendant D. C. supervisory officials authorized or acquiesced, and the defendant D. C. agents and informers participated in, various activities of surveillance, disruption and interference aimed at plaintiffs and others who engaged in demonstrations and other forms of political activity in the District of Columbia, with particular emphasis on persons and groups active in the anti-Vietnam War movement. These activities were conducted chiefly through the Intelligence Division of the Metropolitan Police Department. Large sums of money, including $70,000 in fiscal 1972, were used by the defendant D. C. supervisory officials and agents to pay the defendant informers to participate in these activities.

26. The surveillance actions of defendant D. C. officials, agents and informers against plaintiffs included using undercover agents to fraudulently gain entry to private meetings to learn the plans and programs of plaintiffs, electronic surveillance without judicial authorization, breaking and entering to obtain membership lists and other private political documents, mail interception, and physical surveillance, that is, surreptitiously following plaintiffs and monitoring plaintiffs' activities.

27. Efforts by defendants or their agents to disrupt and interfere with the plaintiffs' political activities included, but were not limited to, urging violent or unlawful actions, and supplying the public and/or news media with false information about the plaintiffs and their plans.

28. The defendant FBI officials and agents engaged in the same activities against the plaintiffs from 1968 to 1973 as those described in paragraphs 25 through 27, above.

29. Some or all of the activities of defendants described in paragraphs 25 through 28, above, were conducted pursuant to a plan formulated by the FBI and/or the Metropolitan Police Department to conduct surveillance upon and to disrupt the activities of certain political groups viewed by said defendants as the "New Left."

30. Some or all of the activities of defendants described in paragraphs 25 through 29, above, were conducted pursuant to a plan formulated in 1968 by defendants Sullivan and Brennan and other unknown FBI officials, known as "COINTELPRO/New Left." This program was designed to conduct surveillance upon and to cause disruption of the activities of what the defendants regarded as the "New Left." Defendant FBI supervisory officials directed the field offices of the FBI to participate in this program.

31. The Washington, D. C. field office of the FBI, directed successively by defendants Stames, Kunkel, and McDermott, as Special Agent in Charge, participated in the COINTELPRO program, and solicited and received the active participation in that program of defendant D. C. supervisory officials, agents, and informers.

32. The aforementioned activities of the defendants were purportedly conducted pursuant to their official capacities, and were conducted by said defendants, individually or in concert:

(a) Knowing such actions to be illegal and with the intention of injuring plaintiffs; or

(b) With reckless disregard of plaintiffs' rights; or

(c) Without reasonable basis to believe such actions were legal; or

(d) Through negligently failing to know or inquire concerning the legality of such actions; or

(e) As a conspiracy or part of a conspiracy by the D. C. defendants or the FBI defendants or both groups of defendants to violate plaintiffs' First and Fifth Amendment rights.

33. In 1975 and at other times, the defendants, including in particular the defendant Zanders, attempted to conceal the aforementioned tortious actions of the other defendants, or conspired to conceal them, by destroying many of the records of the aforementioned illegal activities after their actions had been publicly exposed.

WRONGS

34. The aforementioned actions of defendants violated plaintiffs' rights in one or more of the following respects:

(a) They violate plaintiffs' rights under the First and Fifth amendments of the United States Constitution;

(b) They violate plaintiffs' rights under the Fourth Amendment of the United States Constitution, and plaintiffs' common law rights against trespass and conversion;

(c) They violate plaintiffs' constitutional and common law rights of privacy in their affairs, privacy in their beliefs, and privacy in their political discussions, beliefs and associations;

(d) They violate plaintiffs' rights under 42 U.S.C. 1986 by defendants' failure to exercise the power they possessed to prevent or aid in preventing the illegal acts and conspiracy described herein;

(e) They violate plaintiffs' rights under 18 U.S.C. 2520; 23 D. C. Code 554; and 18 U.S.C. 1702; and

(f) They constitute a conspiracy in violation of 42 U.S.C. 1985(3).

INJURIES

35. The foregoing actions of defendants injured plaintiffs by violating their constitutional rights, by impeding their efforts to bring about a hasty conclusion to the Vietnam War, by otherwise impeding lawful political efforts of plaintiffs, by falsely tainting plaintiffs' efforts and movement and thus preventing the plaintiffs from attracting even greater and more rapid and effective public support than they did, and by causing apprehension among the public concerning the freedom and privacy of engaging in political activity so as to permanently injure plaintiffs' efforts to gain greater participation in and acceptance of their political causes and objectives.

RELIEF

WHEREFORE, Plaintiffs pray for judgment against each defendant, jointly and severally, as follows:

1. Awarding each plaintiff $50,000 compensatory and $100,000 punitive damages for conspiracy to violate plaintiffs' constitutional and other rights;

2. Awarding each plaintiff $10,000 compensatory and $20,000punitive damages for violation of First Amendment rights;

3. Awarding each plaintiff $10,000 compensatory and $20,000 punitive damages for violation of Fourth Amendment rights, or trespass and conversion;

4. Awarding each plaintiff $100 per day compensatory damages (or $1,000, if greater) for each day upon which the

defendants intercepted plaintiffs' oral communication in violation of 18 U.S.C. 2520 or 23 D.C. Code 554;

5. An injunction ordering the defendants to produce forthwith any and all files of a non-criminal nature on the plaintiffs' political activities, affiliations, and beliefs and to destroy any copies of or references to said records in any files under the control or supervision of the defendants;

6. Awarding plaintiffs costs; and

7. Such other relief as the Court deems just.

The plaintiffs demand
a trial by jury.

David Rein
Forer & Rein
400 Woodward Building
733 15th Street, N. W.
Washington, D. C. 20005
(202) 628-4047

Of Counsel:

Ralph J. Temple
American Civil Liberties
Union Fund
Suite 301
1345 E Street, N. W.
Washington, D. C.
(202) 638-6263

Burton D. Wechsler
Urban Law Institute of the
Antioch School of Law
1624 Crescent Place, N. W.
Washington, D. C.
(202) 265-9500

Anne Pilsbury
1523 L Street, N. W.
Washington, D. C.
(202) 628-4195

Filed: July ____, 1976.

SPYING CHARGED

Hobson, rights leaders sue FBI

On behalf of City Council member Julius Hobson, and others who charge their civil rights were violated during the 60s by illegal police and FBI surveillance, the American Civil Liberties Union is filing a suit for damages.

The suit asks for damages of $100,000 for each of the individuals. Included in the suit, which asks for $1 million total, are about a dozen local groups and individuals.

Named in the suit are the local branch of the FBI, and the Metropolitan Police Department. Also filing suit are activist Martha Waskow, the Rev. David Eaton of the All Souls Unitarian Church, and Sammie Abbot.

Abbot explained that the suit was supposed to be filed with the District Court last Thursday, but that lawyers have postponed it because the briefs had to be re-written. He did not say why.

In recent months, several suits have been filed as a result of disclosures that Federal agents and local police infiltrated the ranks of anti-war groups and conducted illegal surveillance.

This however, will be the first suit aimed at the disclosed cooperation between local and national investigative forces.

A lawyer for the ACLU, said this case has a more substantial basis.

The lawyer, Anne Pillsbury said the complaining persons and groups have records of buglaries and wire tappings of some of the people who are involved in bringing the suit. "I don't see how we can fail to establish damages," added Pillsbury.

The result of other suits has been the issuance of injunctions, which in effect barred police from additional surveillance.

Hobson filed a bill with the City Council last month that would bar police surveillance of "non-criminal" activities by individuals and groups.

Charged in the suit are violations of and conspiracies to violate the plaintiffs' First and Fourth Amendments rights, and it asks compensatory and unitive damages for the violation of those rights.

However, if the agencies that committed the surveillance are no longer in business, the suit requests that they be compelled to give back the files or any other information gathered on the defendants.

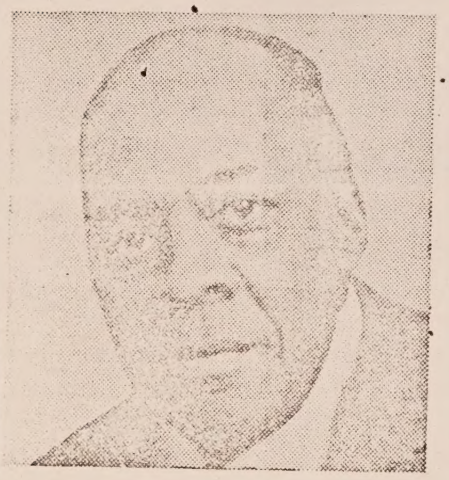
In a recent report, Pillsbury was quoted as saying, "We're not going to pretend that anybody's career ruined. We don't have to prove injury...We're asking at least about $100,000 each," he explained.

Washington Afro-American

AND THE WASHINGTON TRIBUNE

84th YEAR NO. 86 · 332-0080 WASHINGTON, D.C. SATURDAY JUNE 26, 1976 32 PAGES 25 CENTS

Thursday, June 24, 1976 The Washington Star B-3



JULIUS HOBSON
Going to court

Hobson, Others Asking for Million From FBI, D.C. Police Spies of '60s

By Philip Shandler
Washington Star Staff Writer

About a dozen Washington groups and individuals — including City Councilman Julius Hobson — are going to court for damages of more than $1 million as compensation for what they allege was illegal spying on them by city police and the FBI during the turbulent 1960s.

A suit will be filed in the next few days in U.S. District Court here by the local branch of the American Civil Liberties Union, an official said.

Several suits have been filed in recent months across the country as a result of disclosures that federal agents and local police infiltrated the ranks of anti-war groups and conducted surveillance — including wiretaps — of individuals the officials targeted in a drive against the so-called New Left during the Vietnam War.

But this will be the first suit aimed at the disclosed cooperation between local and national investigative forces.

See SPY, B-5

SPY

Continued from B-1

AND THE ACLU believes there is a much more substantial basis for this suit than others for the awarding of monetary damages, said lawyer Anne Pillsbury.

The plaintiffs, besides Hobson, will include radical activist Martha Waskow, the Rev. David Eaton of All Souls Unitarian Church, freeway opponent Sammie Abbott, and several peace groups.

The defendants will be the District's Metropolitan Police Department and the Washington field office of the FBI.

"We have records of burglaries and wiretaps against these people. I don't see how we can fail to establish damages," Pillsbury said.

Other suits have resulted in injunctions in effect barring police from any further such surveillance. The pending suit will go further.

"We're willing to grant they're not doing these things anymore. We want the records of them the FBI has, and we want compensation for the violations of their civil rights," Pillsbury said.

The suit will charge violations of and conspiracies to violate the plaintiffs' First and Fourth Amendment rights and will ask compensatory and punitive damages of thousands of dollars for each of the plaintiffs' alleged violations.

"WE'RE TALKING about at least $100,000 each," Pillsbury said.

"We're not going to pretend that anybody's career was ruined — we don't have to prove injury.

"We want to have a court tell these officials, 'This is something you shouldn't do in a free society,' and the only way to make that clear is with damages," she said.

Further, if the agencies are not in this business (spying) anymore, they should be compelled to give back their files," she said.

Last month, Hobson filed a bill with the City Council that would bar police surveillance of "non-criminal" — primarily political and social — activities by individuals and organizations.

Hobson said yesterday he had been trying for weeks with no success to determine whether the D.C. police have any files on him based on past surveillance.

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

April 7, 1976

Mr. Ralph Temple
Legal Director
American Civil Liberties Union
Suite 451
3000 Connecticut Avenue, N.W.
Washington, D.C. 20008

Dear Ralph:

Enclosed are two sets of the following material which you requested:

1. Memorandum to the Mayor from Hobson and other City Councilmembers, dated February 18, 1975.

2. Report on the operations of the Intelligence Division, dated March 7, 1975.

3. Letter to Mayor Washington from Hobson and other Councilmembers, dated April 11, 1975 accompanied by an analysis of the March 7, Report on the Operations of the Intelligence Division.

4. Letter from Hobson to Earl Silbert, dated April 11, 1975.

5. Response to Council inquiry of the Metropolitan Police Department Intelligence Division, dated May 7, 1975.

6. Letter from Earl Silbert to Julius Hobson, dated May 9, 1975.

Sincerely,

Paul Sanders Brown
Executive Assistant

Enclosures - as stated.